

**§ 15-104. Appointment by county commissioners or executive.**

(a) *Carroll County.*-

(1) In Carroll County, the Board of County Commissioners shall appoint three persons, designating one of them as chairman, who shall constitute the Board of License Commissioners for said county; the first member of the Board to be appointed for one, two and three year terms, respectively and their successors thereafter for terms of three years each. The Board shall meet at least once a month.

(2) (i) The Carroll County Board of County Commissioners shall appoint 1 additional member to the Board of License Commissioners to serve as a substitute member in the event that any of the regular members are absent or incapacitated.

(ii) The Carroll County Commissioners shall set the additional member's salary on a per diem basis and provide a term of office for that member.

(a-1) *Cecil County.*-

(1) In Cecil County, the Board of County Commissioners shall appoint three persons, all of whom are to be of high moral character and possess a sound reputation for integrity, to constitute the Board of License Commissioners for the county.

(2) The members of the Board shall designate their own chairman.

(3) (i) The members of the Board shall be appointed for 3-year staggered terms.

(ii) At the end of a term, a member continues to serve until a successor is appointed and qualifies.

(iii) A member who is appointed after a term has begun serves only for the rest of the term and until a successor is appointed and qualifies.

(4) The Board of License Commissioners shall meet at least once a month.

(b) *Charles County.*-

(1) (i) In Charles County, the Board of County Commissioners shall appoint five persons, who constitute the Board of License Commissioners for the county.

(ii) 1. Each member of the Board shall be a registered voter of the county.

2. Of the Board members, at least one member shall be appointed from each of the County Commissioner districts, and one member shall be appointed at large.

3. Preferably, at least one of the Board members shall have some familiarity or experience with the alcoholic beverages industry prior to the time of appointment.

(iii) 1. Each member of the Board serves a term of 4 years, except that the initial term of one member authorized on October 1, 1993 shall be for 2 years.

2. A member may not serve more than two consecutive terms.

3. The terms of members are staggered as required by the terms provided for members on October 1, 1993.

(iv) The Board annually shall elect one of its members as chairman. A person may serve no more than 2 consecutive years as chairman.

(v) Three members of the Board constitute a quorum for transacting business. At least three members who are present at the hearing concerning an alcoholic beverages license must concur in the approval, denial, revocation, suspension, or reclassification of that license.

(vi) The Board shall meet at least once a month.

(2) (i) No Commissioner shall have any interest, direct or indirect, either proprietary or by means of any loan, mortgage or lien, or in any other manner, in or to any premises where alcoholic beverages are sold; nor shall he have any interest, direct or indirect, in any business wholly or partially devoted to the sale of alcoholic beverages, or own any stock in any corporation which has any interest, proprietary or otherwise, direct or indirect, in any premises where alcoholic beverages are sold or in any business wholly or partially devoted to the sale of alcoholic beverages, or hold any other public office or employment.

(ii) No Commissioner shall solicit or receive directly or indirectly, any commission, remuneration or gift whatsoever from any person, or corporation engaged in the sale of beer or other alcoholic beverages, nor from any agent or employee of such person or corporation, or from any licensee, licensed under the provisions of this article. No person or corporation engaged in the manufacture or sale of beer or other alcoholic beverages, nor any agent or employee of such person or corporation, and no licensee licensed under the provisions of this article, shall, either directly or indirectly, offer to pay any commission, profit or remuneration or make any gift to any Commissioner to anyone on behalf of such Commissioners.

(iii) A License Commissioner violating the provisions of this paragraph shall be removed from this appointed office.

(c) *Montgomery County.*-

(1) In Montgomery County, the Board of License Commissioners consists of 5 members, appointed by the county executive, subject to confirmation by the county council.

(2) Each member of the Board serves a term of 4 years, except that the term of one member who is appointed or reappointed to fill one of the terms expiring in 1983 shall be for 3 years, and 4 years thereafter.

(3) Not more than three members of the Board shall be members of the same political party.

(4) The Board annually shall elect one of its members as chairman.

(5) Three members of the Board constitute a quorum for transacting business. At least three members who are present at the voting session must concur in the approval, denial, revocation, suspension, or reclassification of an alcoholic beverage license.

(6) Each member of the Board shall be a registered voter of the county.

(d) *Queen Anne's County.*- In Queen Anne's County, the Board of County Commissioners shall appoint



5 persons, designating 1 of them as chairman, who shall constitute the Board of License Commissioners for the county. At least 2 of the persons shall be a member of that political party which, at the most recent gubernatorial election, shall have received the second highest number of votes cast in Queen Anne's County for the office of Governor. They shall be appointed for terms of 4 years each. In the event that at any time any member of the Board shall refuse or for any reason be unable to serve, the appointment for the unexpired term shall be made by said Board of County Commissioners. A quorum is 3 or more members for purposes of transacting the Board's business. At least 3 members who are present at any voting session must concur in the approval, denial, revocation, suspension, or reclassification of an alcoholic beverages license.

(e) *Baltimore County - In general.*- In Baltimore County, the county executive shall appoint biennially three persons who shall constitute the Board of License Commissioners for the county. The Board shall appoint no less than four but no more than fifteen liquor inspectors for the county.

(f) *Same - Substitute members.*- In Baltimore County, the county executive shall appoint biennially two substitute members to the County Board of License Commissioners. A substitute, designated by the Chairman of the Liquor Board, shall serve whenever a regular member is absent or incapacitated, for any reason, or in the event a vacancy is created. A substitute shall serve until either the regular member's incapacity or absence ceases or the vacancy is filled. While serving on the Board, a substitute has all the powers, authority, and duties of a regularly appointed member. A substitute member shall receive a per diem salary set by the Board for each day actually served, but a substitute's salary may not exceed the daily salary of a regular member.

[An. Code, 1951, § 141; 1947, ch. 501, § 132; 1951, ch. 314, § 129 (b); ch. 632, § 129 (b-1); 1953, ch. 191; 1959, ch. 370, § 1; 1963, ch. 410; 1967, Sp. Sess., ch. 6; 1968, ch. 698, § 1; 1970, ch. 469; 1973, chs. 191, 264; 1977, ch. 839; 1978, ch. 144; 1979, chs. 181, 350; 1980, ch. 55; 1983, ch. 53; 1984, chs. 72, 76; 1985, chs. 368, 394; 1986, ch. 5, § 1; 1988, ch. 436; 1989, ch. 5, § 15; chs. 193, 262; 1992, ch. 58; 1993, chs. 60, 251; 1994, ch. 3, § 1; 2001, ch. 29, § 6.]